

To: Goldenberg, Evan[egoldenberg@whitecase.com]
From: Flanagan, Sarah
Sent: Fri 1/20/2017 7:19:59 PM
Subject: RE: LPRSA

Dear Mr. Goldberg,

Following up on my earlier email, please be aware that EPA frequently receives requests pursuant to the Freedom of Information Act asking for information related to the Lower Passaic River. Your email and attached letter dated January 6, 2017 both state that they are "For Settlement Purposes Only/Subject to Fed R. Evid. 408." Notwithstanding the assertion of Federal Rule of Evidence 408, and to avoid any misunderstanding, I would like to clarify that the contents of these communications do not appear to be subject to withholding under FOIA.

Please let me know if you have any questions or concerns.

Regards,
-Sarah

Sarah P. Flanagan
Branch Chief, NJ Superfund Branch
Office of Regional Counsel
USEPA, Region 2
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136

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-----Original Message-----

From: Flanagan, Sarah
Sent: Friday, January 06, 2017 5:05 PM
To: 'Goldenberg, Evan' <egoldenberg@whitecase.com>
Cc: Schaaf, Eric <Schaaf.Eric@epa.gov>
Subject: RE: LPRSA

Just wanted to confirm that we have received your letter.

Sarah P. Flanagan
Branch Chief, NJ Superfund Branch
Office of Regional Counsel
USEPA, Region 2
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136

-----Original Message-----

From: Goldenberg, Evan [mailto:egoldenberg@whitecase.com]
Sent: Friday, January 06, 2017 10:59 AM
To: Schaaf, Eric <Schaaf.Eric@epa.gov>; Flanagan, Sarah <Flanagan.Sarah@epa.gov>
Cc: Port, Gail S. <GPort@proskauer.com>; John R. Holsinger <johnh@jrholsinger.com>; Sawula, Andrew N. <asawula@schiffhardin.com>; Kerschner, Seth <seth.kerschner@whitecase.com>; Joshi,

Bina <BJoshi@schiffhardin.com>
Subject: LPRSA

FOR SETTLEMENT PURPOSES ONLY/SUBJECT TO FED. R. EVID. 408

Dear Mr. Schaaf and Ms. Flanagan,

Attached for your consideration is a letter from counsel for the following companies:

Pfizer Inc.
Wyeth LLC, on behalf of Shulton, Inc.
Teva Pharmaceuticals USA, Inc. (f/k/a Biocraft Laboratories, Inc.) Tate & Lyle Ingredients America LLC
Goody Products, Inc. and Berol Corporation (Goody and Berol are subsidiaries of Newell Brands Inc.,
f/k/a Newell Rubbermaid Inc.).

These companies, whose facilities are/were located distant from the Lower Passaic River, are collectively referred to in the attached letter as the Remote Entities Group ("REG").

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